

July 2 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 10-0126

STATE OF MONTANA,

Plaintiff and Appellee,

v.

SCOTT RICHARD ALBRIGHT,

Defendant and Appellant.

FILED

JUL 02 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA**MOTION FOR EXTENSION OF TIME**

The Appellee, State of Montana, respectfully requests a 30-day extension of time until August 6, 2010, in which to prepare, serve, and file its response brief in the above-entitled matter. The brief is presently due on July 7, 2010, and this is the State's first extension request.

This motion is made due to the heavy workload under which the attorney assigned to this case is presently working, making it impossible to properly research, consider, and brief the issues raised by the Appellant within the time allotted.

Opposing counsel has been contacted concerning this motion, and does not object.

Respectfully submitted this 2nd day of July, 2010.

STEVE BULLOCK
Montana Attorney General
Justice Building
P.O. Box 201401
Helena, MT 59620-1401

By: *MardeLL Ployhar*

MARDELL PLOYHAR
Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing
Motion for Extension of Time to be mailed to:

Ms. Sarah Chase Rosario y Naber
Assistant Appellate Defender
P.O. Box 100145
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Mr. Eric Kitzmiller
Deputy Gallatin County Attorney
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DATED: 7/2/10 Mandell Ploghan